

FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

SEP 15 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY D. J. DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

**IVAN MENDOZA (1) and
JESSICA MARIE FITZGERALD (2),**

Defendants.

§ **CRIMINAL NO. EP-21-CR-01492-KC**

§

§ **SUPERSEDING**

§ **INDICTMENT**

§

§ **CT 1: 18 U.S.C. § 111(a)(1) – Assault on
a Federal Officer;**

§

§ **CT 2: 8 U.S.C. §§ 1324(a)(1)(A)(v)(II),
(a)(1)(A)(ii), and (a)(1)(B)(i) - Aid and
Abet to Transport Aliens for Profit;**

§

§ **CT 3: 8 U.S.C. §§ 1324(a)(1)(A)(ii) and
(a)(1)(B)(i) - Transporting Aliens for
Financial Gain;**

§

§ **CT 4: 8 U.S.C. §§ 1324(a)(1)(A)(ii) and
(a)(1)(B)(i) - Transporting Aliens for
Financial Gain.**

THE GRAND JURY CHARGES:

COUNT ONE

(18 U.S.C. §§ 111(a))

That on or about August 11, 2021, in the Western District of Texas, Defendant,

IVAN MENDOZA (1),

did knowingly and feloniously, forcibly assault, resist, oppose, impede, intimidate, and interfere with a person designated in Title 18, United States Code, Section 1114, to wit: J.L.L., a United States Border Patrol Agent, while he was engaged in and on account of the performance of his official duties, in violation of Title 18, United States Code, Section 111(a)(1).

COUNT TWO

(8 U.S.C. §§ 1324(a)(1)(A)(v)(II), (a)(1)(A)(ii), and (a)(1)(B)(i))

On or about August 11, 2021, in the Western District of Texas, District of New Mexico, Republic of Mexico, and elsewhere, Defendants,

**IVAN MENDOZA (1) and
JESSICA MARIE FITZGERALD (2),**

as principals and as aiders and abettors, did knowingly and in reckless disregard of the fact that a certain alien had come to, entered and remained in the United States in violation of the law, transported and moved, and attempted to transport and move such alien within the United States in furtherance of said violation of law, all done for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(v)(II), (a)(1)(A)(ii), and (a)(1)(B)(i).

COUNT THREE

(8 U.S.C. §§ 1324(a)(1)(A)(ii) and (a)(1)(B)(i))

On or about August 11, 2021, in the Western District of Texas, Defendant,

IVAN MENDOZA (1),

knowingly and in reckless disregard of the fact that a certain alien had come to, entered and remained in the United States in violation of law, transported and moved, and attempted to transport and move such alien within the United States in furtherance of said violation of law, all done for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (a)(1)(B)(i).

COUNT FOUR

(8 U.S.C. §§ 1324(a)(1)(A)(ii) and (a)(1)(B)(i))

On or about August 11, 2021, in the Western District of Texas, Defendant,

JESSICA MARIE FITZGERALD (2),

knowingly and in reckless disregard of the fact that a certain alien had come to, entered and remained in the United States in violation of law, transported and moved, and attempted to transport and move such alien within the United States in furtherance of said violation of law, all done for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (a)(1)(B)(i).

A TRUE BILL
~~ORIGINAL SIGNATURE~~
~~REDACTED PURSUANT TO~~
~~E-GOVERNMENT ACT OF 2002~~
FOREPERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY: 

Assistant U.S. Attorney